

FILING BY "EXPRESS MAIL" UNDER 37 CFR 1.10

EV 002US
Express Label Number

March 2
Date of D

Form PTO-1390-MOD (REV 10-96)		U. S. Department of Commerce Patent and Trademark Office	ATTORNEY'S DOCKET NUMBER ON/4-32312A
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371			U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 10/501,207
INTERNATIONAL APPLICATION NO. PCT/EP03/00232	INTERNATIONAL FILING DATE 13 January 2003 (13.01.03)	PRIORITY DATE CLAIMED 14 January 2002 (14.01.02)	
TITLE OF INVENTION COMBINATIONS COMPRISING EPOTHILONES AND ANTI-METABOLITES			
APPLICANT(S) FOR DO/EO/US HOHNEKER ET AL.			

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. ☐ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☐ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ has been transmitted by the International Bureau. (See Form PCT/IB/308)
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)).
 - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ have been transmitted by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).
9. ☒ An executed Declaration and Power of Attorney (original or copy) (35 U.S.C. 371(c)(4)).
10. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11. to 16. below concern document(s) or information included.

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A FIRST preliminary amendment.
☐ A SECOND or SUBSEQUENT preliminary amendment.
14. ☐ An Application Data Sheet under 37 CFR 1.76.
15. ☐ A substitute specification.
16. ☐ A change of power of attorney and/or address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821-1.825.
18. ☐ A second copy of the published International Application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the International application under 35 U.S.C. 154(d)(4).
20. ☒ Other items or information:
 - Extra claim fees (\$600) are included.
 - Inventor's Refusal to Sign: Statement of Facts
 - Standards of Conduct Associate Acknowledgement (signed)
 - Conditions of Employment (signed)
 - Copy of Notice of Missing Requirements

U.S. APPLICATION NO. (if known, see 37 CFR 1.5)
10/501,207INTERNATIONAL APPLICATION NO.
PCT/EP03/00232ATTORNEY'S DOCKET NUMBER
NC/4-32312A

The following fees are submitted:

CALCULATIONS PTO USE
ONLY

21. Basic national fee. \$

22. Examination Fee

If International preliminary examination report was prepared by USPTO
and all claims satisfy provisions of PCT Article 33(1)-(4) \$

All other situations. \$

23. Search fee

If Search fee (37 CFR 1.445(a)(2)) has been paid on the international
application to the USPTO as an International Searching Authority. \$If International Search Report was prepared and provided to the Office. . . \$
All other situations. \$

TOTAL OF 21, 22 AND 23 =

\$ 0

Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer
program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction
thereof.

Total Sheets	Extra sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE
- 100 =	/50 =		X \$ 250

Surcharge of \$130 for furnishing the oath of declaration later than ☒ 30
months from the earliest claimed priority date (37 CFR 1.492(e)). \$ 130

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE
Total claims	- 20 =		X \$ 50
Independent claims	6 - 3 =	3	X \$ 200
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$ 360

TOTAL OF ABOVE CALCULATIONS = \$ 730

Reduction of 1/2 for filing by small entity, if applicable. Verified Small Entity Statement must also be
filed (Note 37 CFR 1.9, 1.27, 1.28).

SUBTOTAL = \$ 730

Processing fee of \$130 for furnishing the English translation later than ☐ 30 months from the
earliest claimed priority date (37 CFR 1.492(f)). + \$

TOTAL NATIONAL FEE = \$ 730


Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied
by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40 per property + \$

TOTAL FEES ENCLOSED = \$ 730

03/09/ 005 SNAIARRD 00000007 190134 10501207

01 FC: 517 130.00 DA
02 FC: 514 600.00 DAAmount to
be: refunded \$
charged \$

- a. ☐ A check in the amount of \$ _____ to cover the above fees is enclosed.
- b. ☒ Please charge Deposit Account No. 19-0134 in the name of Novartis in the amount of \$730 to cover the above fees. A duplicate copy of this form is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 19-0134 in the name of Novartis.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.Send all correspondence to the address associated with
Customer No. 001095, which is currently:Novartis
Corporate Intellectual Property
One Health Plaza, Building 104
East Hanover, NJ 07936-1080
Oona A. Jackson
Attorney for Applicants
Reg. No. 48,152
(862) 778-7852



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

U.S. APPLICATION NUMBER NO.

10/501,207

FIRST NAMED APPLICANT

John Arthur HOHNEKER

ATTY. DOCKET NO.

ONC/4-32312A

INTERNATIONAL APPLICATION NO.

PCT/EP03/00232

I.A. FILING DATE

01/13/2003

PRIORITY DATE

01/14/2002

001095

NOVARTIS

CORPORATE INTELLECTUAL PROPERTY

ONE HEALTH PLAZA 104/3

EAST HANOVER, NJ 07936-1080

CONFIRMATION NO. 3237

371 FORMALITIES LETTER



OC000000015133658

Date Mailed: 02/09/2005

OAS

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 07/09/2004
- Copy of the International Search Report filed on 07/09/2004
- Copy of IPE Report filed on 07/09/2004
- Preliminary Amendments filed on 07/09/2004
- Oath or Declaration filed on 07/09/2004
- U.S. Basic National Fees filed on 07/09/2004
- Priority Documents filed on 07/09/2004



The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Additional claim fees of \$600 as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
 - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- \$130 Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

SUMMARY OF FEES DUE:

DOCKETED FOR: Apr 9, 2005

Total additional fees required for this application is \$730 for a Large Entity:

- \$130 Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is \$ 600
 - \$600 for 3 independent claims over 3.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

FRANCINE YOUNG

Telephone: (703) 308-9140 EXT 215

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/501,207	PCT/EP03/00232	ONC/4-32312A